

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02657-EGS

COX v. EXECUTIVE OFFICE OF U.S. ATTORNEYS et al
Assigned to: Judge Emmet G. Sullivan
Case in other court: Illinois Southern, 3:17-cv-00611
Cause: 05:552 Freedom of Information Act

Date Filed: 11/16/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**FRANCIS SCHAEFFER COX**

represented by **FRANCIS SCHAEFFER COX**
16179-006
TERRE HAUTE FCI
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 33
TERRE HAUTE, IN 47808
PRO SE

V.

Defendant**EXECUTIVE OFFICE OF U.S.
ATTORNEYS****Defendant****BUREAU OF ALCOHOL, TOBACCO,
AND FIREARMS****Defendant****FEDERAL BUREAU OF
INVESTIGATION**

Date Filed	#	Docket Text
06/09/2017	<u>1</u>	Notice of Case Opening. Judge David R. Herndon and Magistrate Judge Reona J. Daly assigned. All future documents must bear case number 17-611-DRH-RJD. If the parties consent to Magistrate Judge assignment, the consent form with instruction is attached for your convenience. Refer to the pro se litigant guide, found on the ILSD website, for further information. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/09/2017)
06/09/2017	<u>2</u>	COMPLAINT against Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation filed by Francis Schaeffer Cox.(kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/09/2017)
06/14/2017		Filing fee: \$ 401.23, receipt number 44625007963 (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/14/2017)
09/13/2017	<u>3</u>	NOTICE OF IMPENDING DISMISSAL for failure to effect service against defendants. Action by plaintiff due by 10/13/2017. (arf) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 09/13/2017)
09/29/2017	<u>4</u>	MOTION for Extension of Time for Service Pursuant to FED.R.CIV.P. 4(c)(3), (m) pursuant to doc <u>3</u> and MOTION for Service of Process at Government Expense by Francis Schaeffer Cox. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 09/29/2017)

11/15/2017	<u>5</u>	ORDER granting <u>4</u> Motion for Extension of Time; granting <u>4</u> Motion for Service of Process at Government Expense. The Clerk is DIRECTED to mail plaintiff three blank USM-285 forms. Plaintiff shall complete and return those forms to the Clerk no later than January 2, 2018, at which time the Clerk will issue summons. See Order for further details. Signed by Judge David R. Herndon on 11/15/2017. (Imp) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 11/15/2017)
12/06/2017	<u>6</u>	Summons Issued as to Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (trb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 12/06/2017)
01/04/2018	<u>7</u>	ORDER: The Clerk of Court is DIRECTED to complete, on Plaintiffs behalf, a summons for service of process on the United States; the Clerk shall issue the completed summons. Pursuant to Federal Rule of Civil Procedure 4(i), the Clerk shall (1) personally deliver to or send by registered or certified mail addressed to the civil-process clerk at the office of the United States Attorney for the Southern District of Illinois a copy of the summons, the complaint, and this Memorandum and Order; and (2) send by registered or certified mail to the Attorney General of the United States at Washington, D.C., a copy of the summons, the complaint, and this Memorandum and Order. Signed by Judge David R. Herndon on 1/4/2018. (klh)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/04/2018)
01/05/2018	<u>8</u>	Summons Issued as to USA.(trb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/05/2018)
01/12/2018	<u>9</u>	RETURN OF SERVICE EXECUTED 01/9/18. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/12/2018)
01/16/2018	<u>10</u>	RETURN OF SERVICE EXECUTED on 01/08/18. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/16/2018)
01/18/2018	<u>11</u>	STRICKEN SUMMONS Returned Executed Bureau of Alcohol, Tobacco, and Firearms served on 12/20/2017, answer due 1/10/2018; Executive Office of US Attorneys served on 12/20/2017, answer due 1/10/2018; Federal Bureau of Investigation served on 12/18/2017, answer due 1/8/2018. (kdb) Modified on 1/19/2018 (kdb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/18/2018)
01/19/2018	<u>12</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>11</u> Summons Returned Executed,. Docket Clerk Error. Summons will be refiled. (kdb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/19/2018)
01/19/2018	<u>13</u>	SUMMONS Returned Executed Bureau of Alcohol, Tobacco, and Firearms served on 12/20/2017, answer due 2/20/2018; Executive Office of US Attorneys served on 12/20/2017, answer due 2/20/2018; Federal Bureau of Investigation served on 12/18/2017, answer due 2/16/2018. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 01/19/2018)
02/06/2018	<u>14</u>	NOTICE of Appearance by Nicholas J Biersbach on behalf of Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/06/2018)
02/06/2018	<u>15</u>	ANSWER to <u>2</u> Complaint and Affirmative Defenses by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation.(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/06/2018)
02/06/2018	<u>16</u>	WITHDRAWN: MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) Modified on 2/23/2018 (trb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/06/2018)

02/06/2018	<u>17</u>	CJRA TRACK A assigned: Bench Trial set for presumptive trial month December, 2018, in East St. Louis Courthouse before Judge David R. Herndon. (Attachments: # <u>1</u> Consent to Magistrate Judge)(arf) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/06/2018)
02/12/2018	<u>18</u>	MOTION for Leave to Amend the Complaint by Francis Schaeffer Cox. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/12/2018)
02/15/2018	<u>19</u>	MOTION to Withdraw <u>16</u> MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/15/2018)
02/16/2018	<u>20</u>	MOTION for Partial Summary Judgment on Counts One and Three of the Operative Complaint by Francis Schaeffer Cox. Responses due by 3/22/2018 (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/16/2018)
02/22/2018	<u>21</u>	ORDER GRANTING <u>18</u> MOTION to Amend/Correct filed by Francis Schaeffer Cox. The Clerk of Court is DIRECTED to file Plaintiff's proposed amended complaint as his First Amended Complaint. Signed by Magistrate Judge Reona J. Daly on 2/22/2018. (ely) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/22/2018)
02/22/2018	<u>22</u>	ORDER GRANTING <u>19</u> MOTION to Withdraw <u>16</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation. Defendants' Motion at <u>16</u> is WITHDRAWN. Signed by Magistrate Judge Reona J. Daly on 2/22/2018. (ely)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/22/2018)
02/23/2018	<u>23</u>	FIRST AMENDED COMPLAINT against All Defendants, filed by Francis Schaeffer Cox.(trb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/23/2018)
02/23/2018	<u>24</u>	ORDER denying as moot <u>20</u> Motion for Summary Judgment. In light of plaintiff's <u>23</u> first amended complaint, the motion for summary judgment is denied as moot. Signed by Judge David R. Herndon on 2/23/2018. (lmp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/23/2018)
02/28/2018	<u>25</u>	RESPONSE to <u>16</u> Motion for Miscellaneous Relief filed by Francis Schaeffer Cox. (jaj) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 02/28/2018)
03/08/2018	<u>26</u>	ANSWER to <u>23</u> Amended Complaint by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation.(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/08/2018)
03/08/2018	<u>27</u>	MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/08/2018)
03/08/2018	<u>28</u>	NOTICE by Federal Bureau of Investigation of <i>Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/08/2018)
03/26/2018	<u>29</u>	RESPONSE to Motion re <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Francis Schaeffer Cox. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/26/2018)
03/26/2018	<u>30</u>	FIRST MOTION for Partial Summary Judgment by Francis Schaeffer Cox. Responses due by 4/30/2018 (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/26/2018)
03/26/2018	<u>31</u>	First Sworn Declaration of Francis Schaeffer Cox. (kdb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/26/2018)
03/26/2018	<u>32</u>	REPLY to Response to Motion re <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys,

		Federal Bureau of Investigation. (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/26/2018)
03/29/2018	<u>33</u>	ORDER GRANTING <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation. SCHEDULE: Defendant FBI complete release of records to Plaintiff by June 29, 2018. Motions for Summary Judgment are due ON August 10, 2018 . Defendants' Response to Plaintiff's First Motion for Partial Summary Judgment (Doc. 30) is STAYED until after all Motions for Summary Judgment are filed on August 10, 2018. Signed by Magistrate Judge Reona J. Daly on 3/29/2018. (ely) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/29/2018)
03/29/2018		Response Deadline for Motion for Partial Summary Judgment terminated. (ely) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 03/29/2018)
04/05/2018	<u>34</u>	NOTICE by Federal Bureau of Investigation of <i>Second Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 04/05/2018)
05/03/2018	<u>35</u>	NOTICE by Federal Bureau of Investigation of <i>Third Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 05/03/2018)
06/01/2018	<u>36</u>	NOTICE of Change of Address by Francis Schaeffer Cox (tkm) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/04/2018)
06/08/2018	<u>37</u>	NOTICE by Federal Bureau of Investigation of <i>Fourth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/08/2018)
06/08/2018	<u>38</u>	MOTION for Extension of Time of <i>Records Release and Partial Summary Judgment Motion Deadlines Regarding Plaintiff's FOI/PA Request to the FBI for All Records About Himself</i> by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/08/2018)
06/08/2018	<u>39</u>	NOTICE of Change of Address by Francis Schaeffer Cox to FCI Terre Haute. (jaj) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/08/2018)
06/12/2018	40	ORDER granting <u>38</u> Motion for Extension of Time of <i>Records Release and Partial Summary Judgment Motion Deadlines Regarding Plaintiff's FOI/PA Request to the FBI for All Records About Himself</i> . The FBI has until November 16, 2018, to review, process and release the newly-discovered paper records related to the FOI/PA request at issue in Count 1 of the First Amended Complaint. Furthermore, the FBI shall file its partial summary judgment motion in response to the FOI/PA request at issue in Count 1 no later than December 21, 2018. Signed by Judge David R. Herndon on 6/12/2018. (lmp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/12/2018)
06/12/2018	41	NOTICE of Hearing: In light of the extension of time, the Bench Trial is RESET for the presumptive trial month of May, 2019, in East St. Louis Courthouse before Judge David R. Herndon. (arf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 06/12/2018)
07/06/2018	<u>42</u>	NOTICE by Federal Bureau of Investigation of <i>Fifth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 07/06/2018)
07/30/2018	<u>43</u>	MOTION for Extension of Time to File Response/Reply to a <i>Portion of Plaintiff's Partial Motion for Summary Judgment</i> by Federal Bureau of Investigation. (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 07/30/2018)
07/30/2018	44	ORDER granting <u>43</u> MOTION for Extension of Time to File Response/Reply to a <i>Portion of Plaintiff's Partial Motion for Summary Judgment</i> filed by Federal Bureau of Investigation. Responses due by 12/21/2018. Signed by Judge David R. Herndon on

		7/30/2018. (Imp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 07/30/2018)
08/06/2018	<u>45</u>	NOTICE by Federal Bureau of Investigation of <i>Sixth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 08/06/2018)
08/10/2018	<u>46</u>	MOTION for Summary Judgment and <i>Motion to Dismiss</i> by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. Responses due by 9/13/2018 (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3, # <u>4</u> Attachment 4)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 08/10/2018)
08/10/2018	<u>47</u>	NOTICE by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation of <i>Pro Se Plaintiff of Consequences of Failing to Respond to Defendants' Motion for Summary Judgment</i> (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 08/10/2018)
08/10/2018	<u>48</u>	RESPONSE to Motion re <u>30</u> MOTION for Partial Summary Judgment filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 08/10/2018)
09/05/2018	<u>49</u>	NOTICE by Federal Bureau of Investigation of <i>Seventh Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 09/05/2018)
09/07/2018	<u>50</u>	STRICKEN PER ORDER AT DOCUMENT 62– MOTION for Extension of Time to File Response/Reply as to <u>46</u> MOTION for Summary Judgment and <i>Motion to Dismiss</i> by Francis Schaeffer Cox. (kdb) Modified on 11/14/2018 (trb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 09/07/2018)
09/10/2018	51	ORDER granting <u>50</u> MOTION for Extension of Time to File Response/Reply as to <u>46</u> MOTION for Summary Judgment and <i>Motion to Dismiss</i> . Responses due within 30 days. Per Local Rule 7.1, Reply briefs are not favored and should be filed only in exceptional circumstances. Signed by Judge David R. Herndon on 9/10/2018. (jer)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 09/10/2018)
10/01/2018	<u>52</u>	NOTICE by Federal Bureau of Investigation of <i>Eighth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/01/2018)
10/04/2018	<u>53</u>	MOTION for Extension of Time <i>Defendant FBI's Motion for Extension of Deadlines with Regard to Plaintiff's FOIPA Request to the FBI for All Records About Himself</i> by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/04/2018)
10/05/2018	54	ORDER granting <u>53</u> Motion for Extension of Time. The defendant's compliance deadline is now December 17, 2018 and the deadline for filing motions for summary judgment as to Count I is moved to January 18, 2019 as is the deadline for the defendant to respond to the portion of plaintiff's partial motion for summary judgment implicating Count I. Signed by Judge David R. Herndon on 10/5/2018. (Herndon, David)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. Modified on 10/9/2018 (trb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/05/2018)
10/09/2018		Action due by 12/17/2018. Dispositive Motions due by 1/18/2019. (trb) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/09/2018)
10/09/2018	55	NOTICE OF MODIFICATION re 54 Order on Motion for Extension of Time. Date modified to reflect the correct year for the deadline for filing motions for summary judgment as to Count I is moved to January 18, 2019. No further action is required by the filer in relation to this notification. (trb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/09/2018)

10/09/2018	<u>56</u>	STRICKEN PER ORDER AT DOCUMENT 62– MOTION for Extension of Time to Respond to <u>46</u> Defendants' MOTION for Summary Judgment <i>and Motion to Dismiss</i> by Francis Schaeffer Cox. (kdb) Modified on 11/14/2018 (trb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/09/2018)
10/12/2018	<u>57</u>	STRICKEN PER ORDER AT DOCUMENT 62–RESPONSE in Opposition re <u>46</u> MOTION for Summary Judgment <i>and Motion to Dismiss</i> filed by Francis Schaeffer Cox. (kdb) Modified on 11/14/2018 (trb). [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/12/2018)
10/16/2018	<u>58</u>	STATUS REPORT <i>Regarding the Release of Information Related to Count 5(c) of Plaintiff's Amended Complaint</i> by Executive Office of US Attorneys. (Attachments: # <u>1</u> Exhibit A – Correspondence to Plaintiff from October 16, 2018)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/16/2018)
10/22/2018	<u>59</u>	ORDER granting <u>56</u> MOTION for Extension of Time to File Response/Reply as to <u>46</u> MOTION for Summary Judgment <i>and Motion to Dismiss</i> filed by Francis Schaeffer Cox. Signed by Judge David R. Herndon on 10/22/2018. (jer)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/22/2018)
10/23/2018	<u>60</u>	MOTION to Strike <i>Pursuant to Rule 11(A) and for Clarification</i> by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit A, Plaintiffs' Motion for Extension of Time to Respond to Defendants' Motion for Summary Judgment and Motion to Dismiss, # <u>2</u> Exhibit B, Plaintiffs' Motion for Extension of Time to Respond to Defendants' Motion for Summary Judgment and Motion to Dismiss, # <u>3</u> Exhibit C, Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and Motion to Dismiss)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/23/2018)
10/26/2018	<u>61</u>	SUPPLEMENT by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. Supplement to <u>60</u> Motion to Strike,, . (Attachments: # <u>1</u> Exhibit A – Complaint from the District of D.C.)(Biersbach, Nicholas) [Transferred from Illinois Southern on 11/16/2018.] (Entered: 10/26/2018)
11/13/2018	<u>62</u>	ORDER – Granting <u>60</u> MOTION to Strike filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. Said motion is granted on the basis that, per Local Rule 7.1, Plaintiff had 14 days to respond, has not, and thus, the Court takes Plaintiff's nonresponse as an admission of the facts set out in the motion. Additionally, under 28 U.S.C § 1404(a), "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented." In this case, Plaintiff previously moved for a 30–day extension of time because he had recently reached an agreement to retain counsel, Mr. Larry Klayman, Esq. Subsequent to the motion for extension of time, Defendant informed the Court <u>61</u> that Mr. Klayman filed a separate but substantially similar FOIA lawsuit against the FBI, DOJ, and ATF in the District of D.C. Therefore, pursuant to § 1404(a), and in the interest of justice, the Court transfers the present matter to the D.C. District Court because the venue is closer to the records requested and it is likely the D.C. District Court will want to consolidate the cases so that both can be efficiently handled. The Clerk shall transfer the present case to the United States District Court for the District of Columbia. Signed by Judge David R. Herndon on 11/13/2018. (jer)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. [Transferred from Illinois Southern on 11/16/2018.] (Entered: 11/13/2018)
11/16/2018	<u>63</u>	Case transferred in from District of Illinois Southern; Case Number 3:17–cv–00611. Original file certified copy of transfer order and docket sheet received. (Entered: 11/16/2018)
11/29/2018	<u>64</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 11/29/18. (Attachment: # <u>1</u> Exhibit 1) (mac) (Entered: 11/29/2018)